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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,451	12/14/2003	Joshua D. Hug	109905-132844	3080
20995	7590	08/22/2006	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP			ZAND, KAMBIZ	
2040 MAIN STREET			ART UNIT	
FOURTEENTH FLOOR			PAPER NUMBER	
IRVINE, CA 92614			2132	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/736,451	Applicant(s) HUG ET AL.	
	Examiner Kambiz Zand	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-19,22,23 and 27-40 is/are rejected.
- 7) ☒ Claim(s) 3-5,20,21,24-26,41 and 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

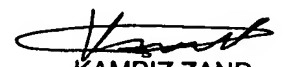
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/14/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claims amended.
4. Claims 1-5, 7-8, 16-17, 20-26, 28-29, 37-38 and 41-42 have been.
5. Examiner withdraws the rejection of claims under 35 U.S.C. 112-second paragraphs due to correction by the applicant.

Response to Arguments

6. Applicant's arguments filed 06/14/2006 have been fully considered but they are only persuasive in the light of amended limitations of claims 3, 20, 24 and 41. the rejections of those claims have been withdrawn (see allowability subject matters below).

Claim Rejections - 35 USC § 102

7. **Claims 1, 2, 6-19, 22, 23 and 27-40** are rejected under 35 U.S.C. 102(e) as being anticipated by Conrado et al (Privacy in an identity-based DRM system).

Art Unit: 2132

As per claims 1 and 22 Conrado et al (Privacy in an identity-based DRM system) teach in a client device equipped with a digital rights management system (DRM) see 1.

introduction, a method, a machine readable medium having stored thereon machine executable instructions comprising: receiving a digital certificate associating an arbitrary digital action with a selected one or more of a plurality of secure components to facilitate performance of the digital action on protected content by the client device (see page 390 IEEE (page 2 of the enclosed reference; function 1; or left column); verifying whether the digital certificate is authentic (see page 2 of the enclosed reference or page 390 of IEEE); determining whether the client is authorized to perform the digital action (see page 1 and 2 of the enclosed reference or page 389-390 IEEE with respect to item 2. Identity based content); and performing the digital action via execution of the one or more secure components if the digital certificate is authentic and the client is authorized to perform the requested action (see page 2-7 of enclosed reference or page 390-3950.

As per claims 2 and 23 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 1 and 22, wherein determining whether the client is authorized to perform the digital action comprises determining whether a rights object associated with the protected content authorizes performance of the requested digital action based upon a rights expression corresponding to the DRM (see page 2 of the enclosed reference or page 390 of IEEE).

As per claims 3, 20, 24 and 41 Conrado et al (Privacy in an identity-based DRM

system) teach the method, the machine readable medium of claims 1, 17, 22 and 38, wherein each of the selected one or more secure components is associated with a corresponding unique identifier and the digital certificate contains unique identifiers corresponding to each of the selected one or more secure components (see page 2 of the enclosed reference or page 390 of IEEE).

As per claims 4 and 25 Claudine et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 3 and 24, further comprising determining whether each of the selected one or more secure components are stored on the client (see page 2 of the enclosed reference or page 390 of IEEE).

As per claims 5 and 26 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 4 and 25, further comprising dynamically obtaining those of the selected one or more secure components stored external to the client (see pages 2-4 of the enclosed reference or page 390-392 of IEEE).

As per claims 6 and 27 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 1 and 22, wherein the digital certificate comprises a digital signature signed by a trusted third-party using a root encryption key belonging to a content provider source of the protected content (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 7 and 28 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 6 and 27, wherein verifying whether the digital certificate is authentic comprises the client validating the digital signature of the digital certificate (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 8 and 29 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 6 and 27, wherein the digital certificate is received in response to a request by the client to perform the digital action (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 9 and 30 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 8 and 29, wherein the digital action comprises a selected one of a transcoding of the secure content, and a transfer of the protected content to another device (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 10 and 31 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 1 and 22, wherein protected content comprises one or more content objects encrypted with components of a rights expression language of the DRM (see page 2-6 of the enclosed reference or pages

Art Unit: 2132

390-395 of IEEE).

As per claims 11 and 32 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 10 and 31, wherein the DRM is implemented in tamper resistant code (see page 5, item 5.2 of the enclosed reference or page 394 of IEEE where examiner considers concealing RAN as corresponding to Applicant's tamper resistant code).

As per claims 12 and 33 Claudine et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 1 and 22, further comprising receiving a digital rights object generated by a rights issuer associated with the secure content (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 13, 19, 34 and 40 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 12, 18 and 39, wherein the digital rights object comprises a license (see page 2 of the enclosed reference or page 390 of IEEE where examiner considers attributes rights as corresponding to Applicant's license such as right or license for playback content on a certain device as an example on page 2 of the enclosed reference) .

As per claims 14 and 35 Conrado et al (Privacy in an identity-based DRM system) teach the method, the machine readable medium of claims 12 and 33, wherein the

Art Unit: 2132

digital rights object is automatically received from the rights issuer (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 15 and 36 Conrado et al (Privacy in an identity-based DRM system)

teach the method, the machine readable medium of claims 12 and 33, wherein the digital rights object is received from the rights issuer in response to a user request (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 16 and 37 Conrado et al (Privacy in an identity-based DRM system)

teach the method, the machine readable medium of claims 15 and 36, wherein the user request is initiated via a user input device associated with the client (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

As per claims 17 and 38 Conrado et al (Privacy in an identity-based DRM system)

teach a method a machine readable medium having stored thereon machine executable instructions comprising: generating a plurality of secure components to facilitate performance of one or more digital content related actions by a client device; generating a digitally signed certificate associating an arbitrary digital action with a selected one or more of the plurality of secure components; and providing the digital certificate to the client device (see page 1-7 of the enclosed reference or pages 389-395 of IEEE).

As per claims 18 and 39 Conrado et al (Privacy in an identity-based DRM system)

teach the method, the machine readable medium of claims 17 and 38, further comprising: generating a rights object corresponding to a digital rights management system (DRM) designed to facilitate performance of at least a subset of the one or more digital content related actions by the client device; and providing the rights object to the client device (see page 5-6 of the enclosed reference or pages 394-395 of IEEE).

As per claims 21 and 42 Conrado et al (Privacy in an identity-based DRM system)

teach the method, the machine readable medium of claims 20 and 41, further comprising: providing the selected one or more of the plurality of secure components to the client (see page 2-6 of the enclosed reference or pages 390-395 of IEEE).

Allowable Subject Matter

8. **Claims 3-5, 20, 21, 24-26, 41 and 42** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2132

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571) 272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KAMBIZ ZAND
PRIMARY EXAMINER

08/16/2006

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